

CITY OF SAN JOSÉ, CALIFORNIA  
Department of Planning, Building and Code Enforcement  
801 North First Street, Room 400  
San José, California 95110-1795

## STAFF REPORT

Hearing Date/Agenda Number  
P.C. 2/26/03 Item #:3.g.

File Number  
PDC02-106

Application Type  
Planned Development Rezoning

Council District  
1

Planning Area  
West Valley

Assessor's Parcel Number(s)  
303-33-005

### PROJECT DESCRIPTION

Completed by: Darren McBain

Location: East side of South Cypress Avenue approximately 300 feet northerly of Adra Avenue (392 South Cypress Ave.)

Gross Acreage: 0.23

Net Acreage: 0.23

Net Density: 13 DU/AC

Existing Zoning: RM Residence Zoning District Existing Use: One single-family detached residence

Proposed Zoning: A(PD) Planned Development Proposed Use: Up to three single-family detached residences

### GENERAL PLAN

Completed by: DM

Land Use/Transportation Diagram Designation  
Medium High Density Residential (12-25 DU/AC)

Project Conformance:  
☒ Yes ☐ No  
☐ See Analysis and Recommendations

### SURROUNDING LAND USES AND ZONING

Completed by: DM

North: Apartments

RM Residence Zoning District

East: Apartments

RM Residence Zoning District

South: Single-family attached residential

A(PD) Planned Development Zoning District

West:: Apartments/senior citizen center

R-1-8 Residence Zoning District

### ENVIRONMENTAL STATUS

Completed by: DM

☐ Environmental Impact Report found complete  
☐ Negative Declaration circulated on  
☐ Negative Declaration adopted on

☒ Exempt  
☐ Environmental Review Incomplete

### FILE HISTORY

Completed by: DM

Annexation Title: Winchester No. 16

Date: 11-13-1959

### PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

☒ Approval  
☐ Approval with Conditions  
☐ Denial  
☐ Uphold Director's Decision

Date: \_\_\_\_\_

Approved by: \_\_\_\_\_  
☐ Action  
☐ Recommendation

### APPLICANT/DEVELOPER/OWNER

Majid Mohazzab  
20564 Russell Lane  
Saratoga, CA 95070

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**PUBLIC AGENCY COMMENTS RECEIVED**

Completed by: DM

**Department of Public Works**

See attached memo

**Other Departments and Agencies**

None attached

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**GENERAL CORRESPONDENCE**

None received

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**ANALYSIS AND RECOMMENDATIONS**

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**BACKGROUND**

The applicant, Majid Mohazzab, is proposing a Planned Development Rezoning from RM Residence Zoning District to A(PD) Planned Development Zoning District to allow up to three single-family detached courthome residences on a 0.23-gross-acre site located on the east side of South Cypress Avenue approximately 300 feet northerly of Adra Avenue (402 South Cypress Avenue). While three (3) units would be allowed under the existing zoning designation of RM Residence District, the existing zoning designation would only allow one of the units be detached from the others, which must be attached.

The site is bordered by apartments to the north, west, and east. The adjoining parcel to the south is the subject of an approved Planned Development Rezoning (File No. PDC99-06-052) and Planned Development Permit (File No. PD02-011) for three single-family detached residences. The approved project to the south has not yet been built. The plans for the current project were prepared by the same architect who worked on the previous project, and are essentially identical to the previous project. The two adjoining parcels have the same dimensions.

The subject site is currently developed with one single-family detached residence that was built in the 1950s. The existing ranch-style house does not appear to have any historical value. The site has a standard rectangular shape and is generally flat. No ordinance-size trees are present on the site.

**Project Description**

The proposed project consists of three two-story, single-family detached courthome units. Each unit has a two-car garage. One uncovered guest parking space is located at the rear of the project. A central driveway provides access to all three units. Each of the proposed units has a net living area of about 1,500 square feet. Each unit has a fenced private back yard plus a smaller landscaped area in front of the unit.

**ENVIRONMENTAL REVIEW**

The Director of Planning has determined that this project is exempt from further environmental review under section 15301 of the California Environmental Quality Act (CEQA), in that CEQA exempts construction of up to three single-family residences on parcels that are located in urbanized areas.

## GENERAL PLAN CONFORMANCE

The proposed project has a net density of 13 DU/AC, which is consistent with the site's General Plan Land Use/Transportation Diagram designation of Medium High Density Residential (12-25 DU/AC).

## ANALYSIS

The primary issue concerned in the proposed rezoning is conformance to the City's Residential Design Guidelines, including site design and architecture.

### Site Design

As discussed in more detail below, the proposed project is in substantial conformance with the development standards recommended in the Residential Design Guidelines for courthomes with regard to setbacks, parking and open space.

**Setbacks.** The project's site design includes a front setback of 20 feet (16 feet for porches). This setback is compatible with the existing apartments to the north of the project, and matches the approved units to be built on the parcel to the south. The rear unit has a rear setback of five feet, which is an adequate amount of separation, given the interface with the adjacent apartment building's parking area, and should not impact the privacy of neighboring residents. The two front units have side setbacks of five feet, which is consistent with the existing development pattern. The rear unit has an increased side setback of 10 feet and 16.5 feet, in order to help protect the privacy of residents of the adjacent properties.

The living units are separated from the project's driveway by three to five feet of landscaping. The design guidelines call for a greater amount of landscaping between residences and driveways. However, staff determined that the proposed arrangement was acceptable under the current circumstances, in order to allow the applicant to achieve a floor plan with a viable width on this relatively small infill development site. Although other site configurations may have allowed a somewhat larger amount of on-site landscaping, the proposed site design allows the project to attain a high degree of compatibility with its general surroundings, which still include some single-family detached homes, in spite of a trend toward higher density in recent years.

**Parking.** Each unit is required to provide one communal guest parking space within 150 feet of the unit. One uncovered guest parking space is provided toward the rear of the project. Under a Planned Development Zoning, on-street parking spaces may, at staff's discretion, be counted toward this requirement if on-street parking is adequately available, has a good functional relationship with the units, and there is not an existing high demand for curbside parking in the immediate vicinity. In this case, staff determined that the on-street parking should be counted for each of the two street-facing units in the front of the project.

**Private Open Space.** Pursuant to the Residential Design Guidelines, each of these courthome units should have a private rear yard no less than 400 square feet in size. The proposed yards conform to this standard.

## Architecture

The project consists of three separate two-story buildings with stucco siding and tiled roofs. The style, materials, scale, and character of the proposed structures are compatible with existing development in the neighborhood. In order to improve the project's street presence and appearance from the public right-of-way, the two front units are oriented outward. Each unit will have a prominent entrance and a covered porch. The buildings are approximately 25 feet high at their tallest point, which is appropriate for this type of project and consistent with existing nearby development.

The building materials and details will be subject to additional review and refinement at the Planned Development Permit stage to provide for some level of variation from the (essentially identical) approved project on the parcel directly to the south of the site. Although staff is generally supportive of the proposed design, some small amount of variation in the details, trim, fences, and/or use of color would be desirable, in order to help avoid a potentially repetitive appearance between the adjoining projects.

## **PUBLIC OUTREACH**

Notices for the public hearing were distributed to the owners and tenants of all properties located within 500 feet of the project site. A notice of the rezoning was also published in the San Jose Post Record, in accordance with the City Council's Public Outreach Policy.

## **RECOMMENDATION**

Planning staff recommends the Planning Commission forward a recommendation approval and the City Council adopt an ordinance rezoning the subject site for the following reasons:

1. The proposed rezoning conforms to the subject site's General Plan Land Use/Transportation Diagram designation of Medium High Density Residential (12-25 DU/AC).
2. The proposed project substantially conforms to the Residential Design Guidelines.
3. The project furthers the goals and objectives of the City's in-fill housing strategies.
4. The proposed rezoning is compatible with existing and proposed uses on the adjacent and neighboring properties.